

Corps Maintains Flows from Missouri River Dam

OMAHA - The Army Corps of Engineers announced today that releases from the Missouri River dams will remain at 25,000 cubic feet second (cfs) in accordance with the 2003 supplemental biological opinion issued by the U.S. Fish and Wildlife Service in April.

Thursday, the Judicial Panel on Multidistrict Litigation, meeting in Portland, Maine, consolidated all district court lawsuits pertaining to the operation of the Missouri River dams and transferred them to Judge Paul Magnuson of the U.S. District Court for Minnesota. Judge Magnuson has stayed all proceedings in these lawsuits for 14 days.

"The Corps has been faced with conflicting court rulings," said Brig. Gen. William Grisoli, Northwestern Division Engineer. The District Court in Nebraska ruled that the Corps must release sufficient water to meet downstream purposes in accordance its current Master Water Control Manual. The District Court in Washington, D.C. ruled July 12 that releases must be reduced to prevent harm to fish and birds listed for protection under the Endangered Species Act.

On the Missouri River, the Endangered Species Act lists the interior least tern as endangered and the piping plover as threatened. "The terns and plovers along the Missouri are enjoying a fantastic nesting year," said General Grisoli.

The Corps has a comprehensive program that identifies each interior least tern and piping plover nest along the river, records its location with GPS equipment and monitors and records the number of eggs in each nest, the number that hatch and the number of chicks that reach flight stage. This is the fourth consecutive record year for plovers and the second highest on record for terns.

By Aug. 15 each year, the birds' reproduction cycle is complete and both species leave the Missouri to migrate south.

The Department of the Army places a very high priority on the completion of the Master Manual process and intends to implement a new manual in Spring 2004. Public review by individuals and organizations is a major part of the process and is welcomed and appreciated.

"Our goal remains to develop a plan that fulfills the congressionally authorized purposes of the reservoir system, balances the competitive needs of the basin and fully complies with all applicable laws, including the Endangered Species Act," said General Grisoli.